

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

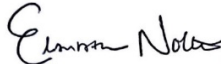
MARTIN J. WALSH , Secretary of)	
Labor, United States Department of Labor,)	
)	
Plaintiff,)	
)	Civil action no.: 3:21-cv-00056-SMY
v.)	
)	CJRA Track: B
DAYEMI ORGANIZATION, INC. d/b/a)	
LONGBRANCH CAFÉ AND BAKERY , an)	Trial Date: July 11, 2022
Illinois corporation, and ELAINE RAMSEYER)	
GREENBERG , an individual,)	Judge Staci M. Yandle
)	
Defendants.)	

**SECRETARY OF LABOR’S MOTION TO STRIKE DEFENDANTS’
JURY DEMAND REGARDING THEIR GOOD FAITH AFFIRMATIVE DEFENSE**

Pursuant to FED. R. CIV. P. 39(a), Plaintiff, Martin J. Walsh, Secretary of Labor, United States Department of Labor (“Secretary”), by the undersigned attorneys, respectfully moves this Court to strike the jury demand regarding the good faith affirmative defense (29 U.S.C. § 260) asserted by Defendants Dayemi Organization, Inc. d/b/a Longbranch Café and Bakery and Elaine Ramseyer Greenberg (collectively, “Defendants”). As explained in the attached brief, there is no right to a jury trial regarding Defendants’ good faith defense. The parties conferred on this motion on May 24, 2022. Defendants oppose this motion.

SEEMA NANDA
Solicitor of Labor

CHRISTINE Z. HERI
Regional Solicitor



ELISABETH NOLTE
Trial Attorney

Attorneys for **MARTIN J. WALSH**
Secretary of Labor
U.S. Department of Labor
Plaintiff

Office of the Solicitor
U.S. Department of Labor
230 S. Dearborn St., Room 844
Chicago, IL 60604
Telephone No.: 312/353-7837
Fax No.: 312/353-5698
E-mail: nolte.elisabeth.p@dol.gov

CERTIFICATE OF SERVICE

I certify that on May 24, 2022, the **Secretary of Labor's Motion to Strike Defendants' Jury Demand Regarding Their Good Faith Affirmative Defense and supporting brief** were filed using the CM/ECF System and served by email on the following:

Shari R. Rhode, Esq.
Rhode Law Firm
1405 West Main Street
Carbondale, IL 62901
shari@rhodelawfirm.com

/s/ Elisabeth Nolte
ELISABETH NOLTE
Attorney